

BEFORE THE  
**Federal Communications Commission**  
 WASHINGTON, DC 20554

In the Matter of )

Revision of the Commission's Rules to Ensure )  
 Compatibility with Enhanced 911 Emergency )  
 Calling Systems )

CC Docket No. 94-102

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 FEDERAL COMMUNICATIONS COMMISSION  
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**COMMENTS OF AIRTOUCH COMMUNICATIONS, INC.**

AirTouch Communications, Inc. ("AirTouch") hereby submits comments in response to the Public Notice of October 3, 1997<sup>1</sup> seeking comment on a written *ex parte* presentation filed by wireless industry and public safety organizations in the above-referenced proceeding.<sup>2</sup> AirTouch is a wireless communications company with significant interests in both cellular and broadband personal communications services and has been an active participant in the instant proceeding.

The Joint Letter proposes essential changes to the Commission's wireless E911 rules. Specifically, the letter requests (1) that Section 20.18(b) of the Commission's rules be amended to provide that licensees would process all successfully validated 911 wireless calls, and must process all 911 wireless calls where requested by a 911 Authority; (2) that the rule be amended further to reflect that a 911 Authority's choice of

<sup>1</sup> Public Notice, *Additional Comment Sought in Wireless Enhanced 911 Reconsideration Proceeding Regarding Rules and Schedules*, CC Docket No. 94-102, DA 97-2751 (released October 3, 1997) ("Public Notice").

<sup>2</sup> See, e.g., Letter to Chairman Reed Hundt, Federal Communications Commission, from the Cellular Telecommunications Industry Ass'n, Personal Communications Industry Ass'n, Ass'n of Public-Safety Communications Officials-International, Inc., the Nat'l Emergency Number Ass'n, and Nat'l Ass'n of State 911 Administrators, dated September 25, 1997 ("Joint Letter").

receiving all wireless 911 calls or only successfully validated 911 wireless calls may not be possible until Phase II ALI technology is in place; (3) that the deadline for digital TTY/TDD compatibility implementation be extended eighteen months; and (4) that the Commission refrain from addressing certain implementation issues to allow industry and the public safety community the opportunity to develop consensus positions.

AirTouch supports the rule changes proposed in the Joint Letter. Since the adoption of the Commission's rules in July of 1996, a considerable record has developed in this proceeding which demonstrates that the Commission's existing wireless E-911 rules do not accurately reflect the technical constraints to which covered CMRS carriers are subject.<sup>3</sup> For instance, the implementation difficulties resulting from the distinction between "code identified" and "non-code identified" 911 calls in the Commission's current rules are well-documented in the record of this proceeding.<sup>4</sup> The Commission has noted the Ad Hoc Alliance's opposition to this proposal. The record clearly demonstrates, however, that no technology has been developed that has call-back capability if service has not been initialized. Further, when wireless carriers are subject

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<sup>3</sup> See Cellular Telecommunications Industry Ass'n, Ex Parte Presentation in CC Docket No. 94-102, filed September 25, 1997; Wireless E-911 Coalition, Request for Extension of Time to Implement E911/TTY Compatibility Requirements for Wireless Operators, CC Docket No. 94-102, filed August 29, 1997; Wireless E-911 Coalition, Ex Parte Presentation in CC Docket No. 94-102, filed July 10, 1997; GTE Service Corp., Ex Parte Presentation in CC Docket No. 94-102, filed July 7, 1997.

<sup>4</sup> See Public Notice, *Commission Seeks Additional Comment in Wireless Enhanced 911 Rulemaking Proceeding Regarding Ex Parte Presentations on Certain Technical Issues*, CC Docket No. 94-102, DA 97-1502 (rel. July 16, 1997); *Ex Parte* Presentation of the Wireless E911 Coalition in CC Docket No. 94-102, filed July 10, 1997, at 3-6; *Ex Parte* Presentation of GTE Service Corp. in CC Docket No. 94-102, filed July 7, 1997; Comments of AirTouch Communications, Inc. in CC Docket No. 94-102, filed July 28, 1997, at 3-5.

to number portability requirements, a MIN will be insufficient to serve as a unique identifier. The Joint Letter proposal to eliminate the code identified-non code identified distinction and to differentiate instead between "successfully validated" and "all wireless 911 calls" comports with wireless carriers' switching technologies and should be adopted.<sup>5</sup>

Important technical issues must also be resolved for TTY compatibility for digital wireless technologies. While the industry is working to address these issues, the Commission should extend the current November 30, 1997 deadline; otherwise many service providers will be in violation of rules with which they are incapable of complying. AirTouch submits that the Joint Letter request for an 18 month extension is a reasonable period that accurately reflects the time to market of TTY-compatible digital technology.

AirTouch particularly supports the Joint Letter's recommendation that the Commission refrain from addressing issues relating to call-back capabilities, strongest signal technology, the use of temporary call-back numbers, and the status of uninitialized phones to allow industry and public safety agencies additional time to address these issues and develop consensus positions. As AirTouch discussed in its comments filed July 28, 1997,<sup>6</sup> the Commission's current rules pose potentially serious issues of carrier

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<sup>5</sup> As AirTouch discussed in its July 28, 1997 comments, requiring covered CMRS licensees to bypass all validation procedures and pass 911 calls from non-service initialized users poses serious problems for wireless carriers. AirTouch Comments at 5-6. In light of scheduled discussions between industry and public safety organizations, however, AirTouch supports the Joint Letter approach as an initial first step toward resolving these technical issues.

<sup>6</sup> See AirTouch Comments.

liability and fraud, and considerable technical obstacles must be overcome to implement the Phase I callback capabilities envisioned in the Commission's rules. Premature decisions on these issues would be improvident, potentially undermining the cooperative efforts of industry and public safety agencies to reach agreement. AirTouch submits that the public is best served, for now, by supporting the coordinated efforts between wireless carriers and public safety agencies to resolve these issues.

As discussed herein, and as the public safety community recognizes, important technical, carrier liability and other issues must be addressed to effectively implement wireless E911 service. The Joint Letter proposals are the work of technical experts in industry and the public safety community with intimate knowledge of wireless switching technologies and PSAP capabilities. In light of the engineering realities and constraints documented in the record in this proceeding, the implication by the Ad Hoc Alliance that the industry has somehow "muscle" the public safety community into supporting the Joint Letter is patently absurd. The Commission should reject Ad Hoc's contentions and endorse the consensus approach reflected in the Joint Letter.

Respectfully submitted,

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October 17, 1997